

REMARKS

Claims 1-20 are pending in the application. The Examiner has rejected Claims 1, 4, 5, 8, 12-15 and 20 under 35 U.S.C. §103(a) as being unpatentable over Gutierrez (U.S. Patent 6,519,233) in view of Tanno et al. (U.S. Patent 6,078,572). The Examiner has rejected Claims 2, 6, 9 and 11 under 35 U.S.C. §103(a) as being unpatentable over Gutierrez in view of Tanno et al. and Chen (U.S. Patent 6,330,462). The Examiner has rejected Claims 3, 7 and 10 under 35 U.S.C. §103(a) as being unpatentable over Gutierrez in view of Tanno et al., and further in view of Honkasalo et al. (U.S. Patent 6,091,717). The Examiner has rejected Claims 16-19 under 35 U.S.C. §103(a) as being unpatentable over Gutierrez in view of Tanno et al. and Rinne et al. (U.S. Patent 6,671,286).

Applicants respectfully submit that the Examiner has not officially considered the Information Disclosure Statement (IDS) filed on March 1, 2004, as evidenced by the unsigned form PTO-1449. It is respectfully requested that the Examiner officially consider the documents supplied with the IDS.

Regarding the rejections of independent Claims 1, 5, 8, 12-15 and 20, the Examiner states that Gutierrez in view of Tanno et al. discloses all of the elements of these claims. Gutierrez discloses a subscriber unit burst mode reservation in a CDMA wireless communication system. Tanno et al. discloses an access method, mobile station and base station for a CDMA mobile communication system. Each of the above independent claims recites either an apparatus or method wherein a reverse common channel is designated as a dedicated channel. As recited in the claims, this designation of a common channel as a dedicated channel is accomplished by utilizing the designated channel indicating parameters and the action time for designation. Neither Gutierrez nor Tanno et al. teaches or discloses that a common channel is designated as a dedicated channel. Also, as neither Gutierrez nor Tanno et al. dedicates a common channel as a dedicated channel as recited in the claims of the present application, these references do not teach or disclose a reverse common channel designation indicator as recited in Claims 1, 5, 8, 12-15 and 20. The remaining cited references do not cure this defect. Based on the foregoing arguments, withdrawal of the rejections of Claims 1, 5, 8, 12-15 and 20 is respectfully requested.

Regarding independent Claim 11, the Examiner states that Gutierrez in view of Tanno et al. and Chen discloses all of the elements of this claim. Chen discloses a method and apparatus for pre-transmission power control using a lower rate for a high rate communication. As Claim 11 recites a reverse common channel is designated as a dedicated channel utilizing the designated channel indicating parameters and the action time for designation, and a reverse common channel designation indicator, which is not disclosed or suggested by Chen, the arguments presented above with respect to the independent claims above will also apply to Claim 11. Based on the foregoing arguments, withdrawal of the rejection of Claim 11 is respectfully requested.

Regarding independent Claims 16-19, the Examiner states that Gutierrez in view of Tanno et al. and Rinne et al. discloses all of the elements of these claims. Rinne et al. discloses a method and apparatus for indicating variable data processing in telecommunication connections. As Claims 16-19 recite a reverse common channel is designated as a dedicated channel utilizing the designated channel indicating parameters and the action time for designation, and a reverse common channel designation indicator, which is not disclosed or suggested by Rinne the arguments presented above with respect to the independent claims above will also apply to Claims 16-19. Based on the foregoing arguments, withdrawal of the rejections of Claims 16-19 is respectfully requested.

Independent Claims 1, 5, 8 and 11-20 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-4, 6, 7, 9 and 10, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-4, 6, 7, 9 and 10 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-20, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", is written over the typed name.

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